U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans FILE NUMBER: MVN-2004-4336-WGG

PROJECT	LOCATION	INFORMATION:
223777		

State: Louisiana Parish: St. Mary

Center coordinates of site (latitude/longitude):

Lat. 29.35.54/ Long. 91.32.28

Approximate size of area (parcel) reviewed, including uplands: 0.043 acres.

Name of nearest waterway: East Cote Blanche Bay

Name of watershed: Bayou Teche

JURISDICTIONAL DETERMINATION

Completed: Desktop determination

Site visit(s)

 \boxtimes

Date: 9-28-04

Date(s):

Jurisdictional Determination (JD):

	Preliminary JD - Based on available information, \(\sqrt{there appear to be (or)} \) \(there appear to be no "waters of the or the control of the control of the or the control of t
_	United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable
	(Reference 33 CFR part 331).

Approved JD — An approved JD is an appealable action (Reference 33 CFR part 331).

Check all that apply:

☑ There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

☑ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area.

Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

\boxtimes	(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in
	interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.
promp.	(a) the contract of the contra

(2) The presence of interstate waters including interstate wetlands'.

(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):

(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
 (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

(iii) which are or could be used for industrial purposes by industries in interstate commerce.

(4) Impoundments of waters otherwise defined as waters of the US.

(5) The presence of a tributary to a water identified in (1) – (4) above.

(6) The presence of territorial seas.

(7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

The waterway for the project site is an unnamed tributary that interconnects East Cote Blanche Bay to the Intracoastal Canal and Bayou Sale.

jd.basis.d	oc MVN 2004-4336-W66
Lat	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)
\boxtimes	
100	☐ clear, natural line impressed on the bank ☐ oil or seum line along shore objects
	the presence of litter and debris fine shell or debris deposits (foreshore)
	changes in the character of soil physical markings/characteristics
	destruction of terrestrial vegetation didal gages
	shelving other:
m	Many Uich Water Mark indicated but
100	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Survey to available datum, physical markings, vegetation mes/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
n.	To For No. A second on Employment
Bas	sis For Not Asserting Jurisdiction:
	The reviewed area consists entirely of uplands.
	Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).
- 1	Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).
100	The Corps has made a case-specific determination that the following waters present on the site are not Waters of the
	United States:
	Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.
	Artificially irrigated areas, which would revert to upland if the irrigation ceased.
	Artificial lakes and ponds created by excavating and/or diking dry land to collect and
	retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or
	rice growing.
	Artificial reflecting or swimming pools or other small ornamental bodies of water created
	by excavating and/or diking dry land to retain water for primarily aesthetic reasons.
	Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for
	the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is
	abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR
	328.3(a).
	Isolated, intrastate wetland with no nexus to interstate commerce.
	Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
	Other (explain):
DATA F	REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):
	Maps, plans, plots or plat submitted by or on behalf of the applicant.
	Data sheets prepared/submitted by or on behalf of the applicant.
	☐ This office concurs with the delineation report, dated , prepared by (company):
	This office does not concur with the delineation report, dated , prepared by (company):
m	Data sheets prepared by the Corps.
一百	Corps' navigable waters' studies:
一百	U.S. Geological Survey Hydrologic Atlas:
	U.S. Geological Survey 7.5 Minute Topographic maps:
	U.S. Geological Survey 7.5 Minute Historic quadrangles:
- 1	U.S. Geological Survey 15 Minute Historic quadrangles:
易	USDA Natural Resources Conservation Service Soil Survey:
	National wetlands inventory maps:
	State/Local wetland inventory maps:
	FEMA/FIRM maps (Map Name & Date):
	100-year Floodplain Elevation is: (NGVD)
X	Aerial Photographs (Name & Date):
	Other photographs (Date):
	Advanced Identification Wetland maps:
	Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page
	Applicable/supporting case law:
	Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans FILE NUMBER: MVN 2004-3247

ILE N	UNIDEK:	IVI V IV 2	704-3247		
Sta Par Cer App Nar	te: ish: oroximate	Louisia St. Mar nates of s size of ar est water	y iite (latitude/longiti	ed, includi	29-41-7, 91-10-45 ng uplands: unknown acres.
URISE	ICTION	AL DET	ERMINATION		
Cor	mpleted:	Desktor Site visi	determination t(s)		Date: 9-30-2004 Date(s):
Jur	isdictiona	l Determ	ination (JD):		
	United S	tates" and			on, \sum there appear to be (or) \sum there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable
		d JD – A I that app		n appealab	le action (Reference 33 CFR part 331).
			rigable waters of the Approximate size		States" (as defined by 33 CFR part 329 and associated guidance) within ctional area:
			ters of the United S oproximate size of		defined by 33 CFR part 328 and associated guidance) within the nal area:
	☐ There	are "iso			tate waters or wetlands" within the reviewed area. ANCC/Migratory Bird Rule Information Sheet for Determination of No.
ASIS (OF JURIS	DICTIO	NAL DETERMIN	NATION:	
A.	The prese	ence of w	aters that are subje	ct to the el	navigable waters of the United States": bb and flow of the tide and/or are presently used, or have been used in sort interstate or foreign commerce.
B. ⊠	(1) The p interstate	oresence or or foreign	of waters, which are n commerce, inclu	e currently ding all wa	as "waters of the United States": used, or were used in the past, or may be susceptible to use in aters which are subject to the ebb and flow of the tide. interstate wetlands.
	(3) The p sandflats, destruction (i) w (ii) f (iii)	resence of wetland on of which which are from which which are	of other waters such s, sloughs, prairie p ch could affect into or could be used by th fish or shellfish e or could be used i	n as intrast potholes, we erstate com y interstate are or coul for industri	ate lakes, rivers, streams (including intermittent streams), mudflats, vet meadows, playa lakes, or natural ponds, the use, degradation or imerce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. Id be taken and sold in interstate or foreign commerce. It is interstate commerce. It is purposes by industries in interstate commerce. It is a waters of the US.

(4) Impoundments of waters of the state of t

Bayou Boeuf is a navigable waterway

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)
\boxtimes	Ordinary High Water Mark indicated by: High Tide Line indicated by:
	clear, natural line impressed on the bank oil or seum line along shore objects
	the presence of litter and debris fine shell or debris deposits (foreshore)
	changes in the character of soil physical markings/characteristics
	destruction of terrestrial vegetation tidal gages
	shelving other:
	other: undetermined
	24 Outer amount
M	Mean High Water Mark indicated by:
	survey to available datum; physical markings; vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Ras	is For Not Asserting Jurisdiction:
Da.	The reviewed area consists entirely of uplands.
H	Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7).
	Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).
H	The Corps has made a case-specific determination that the following waters present on the site are not Waters of the
101	United States:
	Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3.
	Artificially irrigated areas, which would revert to upland if the irrigation ceased.
	Artificial lakes and ponds created by excavating and/or diking dry land to collect and
	retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or
	rice growing.
	Artificial reflecting or swimming pools or other small ornamental bodies of water created
	by excavating and/or diking dry land to retain water for primarily aesthetic reasons.
	Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for
	the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR
	328.3(a).
	Isolated, intrastate wetland with no nexus to interstate commerce.
	Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	☐ Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
	Other (explain):
	Outer (explain).
DATA I	EVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):
	Maps, plans, plots or plat submitted by or on behalf of the applicant.
	Data sheets prepared/submitted by or on behalf of the applicant.
17(2)	This office concurs with the delineation report, dated , prepared by (company):
	This office does not concur with the delineation report, dated , prepared by (company):
100	Data sheets prepared by the Corps.
面	Corps' navigable waters' studies:
m	U.S. Geological Survey Hydrologic Atlas:
×	U.S. Geological Survey 7.5 Minute Topographic maps:
H	U.S. Geological Survey 7.5 Minute Historic quadrangles:
	U.S. Geological Survey 15 Minute Historic quadrangles:
H	USDA Natural Resources Conservation Service Soil Survey:
	National wetlands inventory maps:
8	State/Local wetland inventory maps:
	FEMA/FIRM maps (Map Name & Date):
	100-year Floodplain Elevation is: (NGVD)
	Aerial Photographs (Name & Date):
	Other photographs (Date):
	Advanced Identification Wetland maps:
	Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page
F	Applicable/supporting case law:
	Other information (please specify):
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¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans FILE NUMBER: MVN 2004-4362 WB

	DOCKET	LOCATION	INFORM	ATION
1	ROJECI	LOCATION	THORN	ALIUN

Louisiana State: Parish: Cameron

Center coordinates of site (latitude/longitude): 29-56-43, 93-5-53 Approximate size of area (parcel) reviewed, including uplands: unknown acres.

Name of nearest waterway: Sweet Lake

Name of watershed:

HIRISDICTIONAL	

Date: 9-30-2004 Completed: Desktop determination Date(s): Site visit(s)

	Jurisdictional	Determination (JD	k
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Preliminary JD - Based on available information, \(\square there appear to be (or) \square there appear to be no "waters of the
United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331).

Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply:

Market There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area:

There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction.

BASIS OF JURISDICTIONAL DETERMINATION:

A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States":

(1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.

(2) The presence of interstate waters including interstate wetlands'.

(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):

(i) which are or could be used by interstate or foreign travelers for recreational or other purposes.

(ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

(iii) which are or could be used for industrial purposes by industries in interstate commerce.

(4) Impoundments of waters otherwise defined as waters of the US.

(5) The presence of a tributary to a water identified in (1) – (4) above.

(6) The presence of territorial seas.

(7) The presence of wetlands adjacent to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

Wetlands are adjacent to navigable waters (Sweet Lake)

La	ateral Extent of Jurisdiction: (Reference: 33 CFR parts Ordinary High Water Mark indicated by:	s 328 and 329) High Tide Line indicated by:
162	clear, natural line impressed on the bank	oil or scum line along shore objects
	the presence of litter and debris	fine shell or debris deposits (foreshore)
	changes in the character of soil	physical markings/characteristics
	destruction of terrestrial vegetation	Lidal gages
	shelving	other:
	other: undetermined	
	Mean High Water Mark indicated by:	
	☐ survey to available datum; ☐ physical markings;	vegetation lines/changes in vegetation types.
×	Wetland boundaries, as shown on the attached wetlan	d delineation map and/or in a delineation report prepared by:
B	asis For Not Asserting Jurisdiction:	
10	The reviewed area consists entirely of uplands.	
	Unable to confirm the presence of waters in 33 CFR p	part 328(a)(1, 2, or 4-7).
200	Headquarters declined to approve jurisdiction on the l	pasis of 33 CFR part 328.3(a)(3).
100		at the following waters present on the site are not Waters of the
	United States:	ponds or lagoons, pursuant to 33 CFR part 328.3.
	Artificially irrigated areas, which would rever Artificial lakes and ponds created by excavati	
	retain water and which are used exclusively for	or such purposes as stock watering, irrigation, settling basins, or
	rice growing. Artificial reflecting or swimming pools or oth	er small ornamental bodies of water created
	by excavating and/or diking dry land to retain	
	Water-filled depressions created in dry land in the purpose of obtaining fill, sand, or gravel u	ncidental to construction activity and pits excavated in dry land for nless and until the construction or excavation operation is sets the definition of waters of the United States found at 33 CFR
	328.3(a).	
	Isolated, intrastate wetland with no nexus to in	
	Prior converted cropland, as determined by the	e Natural Resources Conservation Service. Explain rationale:
	Non-tidal drainage or irrigation ditches excava	ated on dry land. Explain rationale:
	Other (explain):	
DATA	REVIEWED FOR JURISDICTIONAL DETERMIN	ATION (mark all that apply):
	Data sheets prepared/submitted by or on behalf of the	applicant.
	☐ This office concurs with the delineation report, da	tted , prepared by (company):
	☐ This office does not concur with the delineation re	eport, dated , prepared by (company):
	Data sheets prepared by the Corps.	
- 1	Corps' navigable waters' studies:	
	U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps	0.4
- 1	U.S. Geological Survey 7.5 Minute Topographic maps	
	U.S. Geological Survey 15 Minute Historic quadrangl	
- 6	USDA Natural Resources Conservation Service Soil S	
100	National wetlands inventory maps:	**************************************
	State/Local wetland inventory maps:	
	FEMA/FIRM maps (Map Name & Date):	
	100-year Floodplain Elevation is: (NGVD)	
	Aerial Photographs (Name & Date):	
	Other photographs (Date): Advanced Identification Wetland maps:	
100	Site visit/determination conducted on: see Jurisdiction	al Determination Section at top of previous page
	Applicable/supporting case law:	in a stermanism overton in top of previous page
	Other information (please specify):	

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

³The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.